



Wisconsin Department of Transportation

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FCC

Federal Communications Commission
445 Twelfth St., SW
Room TW-A325
Washington, DC 20054

RE: WT Docket No. 99-87/RM-9332; FCC 99-52

The Department of Transportation, Division of State Patrol, expresses its support for the suggested public safety exemption from frequency auctions. We believe that the auction process does *not* provide the most equitable method for allocating the radio spectrum. This is a complex issue which is magnified when considering the issue of public safety agencies using non-public safety frequencies. Examples of this complexity include the use of Marine licenses at drawbridges and fire departments licensed on business pool frequencies.

The Wisconsin State Patrol suggests that an appropriate approach to the problems identified in the federal notice is to require the FCC to follow Congress' instructions on avoiding mutual exclusivity and thus not auction the Private Land Mobile spectrum. Public safety services are actively requesting shared non-exclusive large area communications systems which can use the spectrum most effectively and economically. Auctioning should be curtailed until the shared infrastructures for public safety have been developed and frequency requirements met. User fees could be implemented instead of auctioning frequencies, permitting public safety entities the option of using the frequencies, at no cost, where available.

We appreciate the opportunity to respond to this notice of proposed rulemaking. If you have further questions, please contact John Verhyen at 608/267-3573.

Sincerely,

David Schumacher
Administrator

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